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Critical Intelligence Problems Committee

DCI/ICS 83-3834

31 August 1983

MEMORANDUM FOR: Deputy Director of Central Intelligence

VIA: Deputy Director, Intelligence Community Staff

FROM:

Chairman

SUBJECT: Response to DDCI Question on July Monthly Report

1. This responds to your questions on our July monthly report.

2. On 20 July, Mary Lawton, Counsel for Intelligence Policy, Department of Justice, addressed a special meeting of the Critical Intelligence Problems Committee Narcotics Working Group on the legal aspects of intelligence support to the Federal narcotics effort. Ms. Lawton provided a brief history of the recent Executive Orders and their impact on the Intelligence Community and the narcotics effort, as well as a review of the responsibilities of the various intelligence agencies toward the narcotics effort. A key point was her discussion of the Posse Comitatus Act, its recent amendment to permit the military to support the interdiction of drugs into the States, and its implications for the military in a law enforcement role. Another key element of the discussion was the risk of disclosing intelligence information in the legal prosecution of narcotics traffickers and the ramifications for protection of sources and methods. With regard to a question concerning the detailing of military SIGINT personnel to the Coast Guard or a civilian agency, Ms. Lawton stated that such detailing of military personnel is permissible for a fixed period of time provided that operational control resides entirely within the civilian agency. Ms. Lawton's advice to the group was fairly standard legal fare: "When in doubt, check with your lawyer." She did acknowledge, under questioning, that it seemed to be the clear intent of Congress that military and intelligence resources be brought to bear on the problem. She also admitted, again in response to a question, that the Justice Department was not actively reviewing the legal framework under which we are working in order to determine what additional legislation we might seek.

3. You also requested specifics on the subcommittee of the Interagency Intelligence Committee on Terrorism (IICT) dealing with intelligence support to the Olympics. The subcommittee is chaired by Doug Ogden of the FBI's Criminal Investigation Division. It has representatives from CIA, NSA, DIA, Coast Guard, INS, Customs, and the JSOC. Most are mid-level specialists

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dealing with international terrorism on a full-time basis. Their mission is to assure the timely flow of properly sanitized national intelligence to Los Angeles area law enforcement agencies. The subcommittee held its first meeting 24 August and plans within the next 60 days to meet with representatives from the Los Angeles enforcement agencies. Specifically, the subcommittee will deal with the Integrated Threat Analysis Group, a combined element formed with personnel from the Los Angeles Police Department, the Los Angeles Sheriff's Department, the FBI Field Office, and various other local jurisdictions. Progress reports will be submitted by the subcommittee to the IICT. [REDACTED]

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4. You may also be interested in knowing that since our July report we have met with Ken Hill, the White House Special Assistant for coordinating Olympics security. We gave him our perspective on the Community's preparations for the Olympics. He subsequently met with [REDACTED] and may also meet with NSA representatives. He granted permission for us to pass to the FBI the section of Beckwith's report to the White House that deals with national intelligence. Considering that the FBI has been called to testify on Olympics security by the Senate Judiciary Committee, we thought it only proper that the FBI have knowledge of Beckwith's allegations. [REDACTED]

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5. If you require any additional information, please let me know. [REDACTED]

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